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| <b>To:</b> | Mail Box: AF<br>Examiner Bruckart | <b>Group Art Unit:</b> 2155 |
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**COMPANY:** United States Patent and Trademark Office**FACSIMILE NO.:** 571-273-8300**FROM:** H. Artoush Ohanian, Reg. No. 46,022

|            |   |   |
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| <b>RE:</b> | Notice of Appeal to Final OA<br>dated February 15, 2006;<br>Title: "Customized Tours<br>Using Handheld Devices" | <b>Atty. Docket No.:</b> AUS920010459US1<br>(003) |
|------------|---|---|

|                    |            |                           |
|--------------------|------------|---------------------------|
| <b>SERIAL NO.:</b> | 09/942,757 | <b>Customer No.</b> 34533 |
|--------------------|------------|---------------------------|

|                  |                     |
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| <b>NUMBER OF</b> |                     |
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PTO/SB/21 (02-04)

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4

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 09/942,757            |
| Filing Date          | 08/30/2001            |
| First Named Inventor | Newton J. Smith, Jr.  |
| Art Unit             | 2155                  |
| Examiner Name        | Bruckart, Benjamin R. |

Attorney Docket Number AUS920010459US1

## ENCLOSURES (Check all that apply)

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|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <li><input type="checkbox"/> Fee Attached</li> </ul>   | <input type="checkbox"/> Drawing(s) <ul style="list-style-type: none"> <li><input type="checkbox"/> Licensing-related Papers</li> </ul>  | <input type="checkbox"/> After Allowance communication to Technology Center (TC)                   |
| <input type="checkbox"/> Amendment/Reply <ul style="list-style-type: none"> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> </ul>               | <input type="checkbox"/> Petition <ul style="list-style-type: none"> <li><input type="checkbox"/> Petition to Convert to a Provisional Application</li> <li><input type="checkbox"/> Power of Attorney, Revocation</li> <li><input type="checkbox"/> Change of Correspondence Address</li> </ul> | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                |
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| <input type="checkbox"/> Certified Copy of Priority Document(s)   | <input type="checkbox"/> Other Enclosure(s) (please identify below):   |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <ul style="list-style-type: none"> <li><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53</li> </ul> | <input type="checkbox"/> Facsimile Transmittal Sheet; Notice of Appeal PTO/SB/31 (2 Originals).  |  |
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Reg. No. 46,022

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Date May 12, 2006

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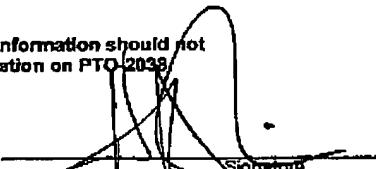
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| NOTICE OF APPEAL FROM THE EXAMINER TO<br>THE BOARD OF PATENT APPEALS AND INTERFERENCES  |   | Docket Number (Optional)<br><b>AUS20010459US1</b>   |  |   |                            |  |  |                         |   |
| <p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>May 12, 2006</u>.</p> <p>Signature <u>Catherine Berglund</u></p> <p>Typed or printed name <u>Catherine Berglund</u></p>  |   | <p>In re Application of<br/><b>Newton J. Smith, Jr.</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number<br/><b>09/942,757</b></td> <td style="width: 50%;">Filed<br/><b>08/30/2001</b></td> </tr> <tr> <td colspan="2" style="text-align: center;">For <b>Customized Tours Using Handheld Devices</b></td> </tr> <tr> <td style="text-align: center;">Art Unit<br/><b>2155</b></td> <td style="text-align: center;">Examiner<br/><b>Bruckart, Benjamin R</b></td> </tr> </table> |  | Application Number<br><b>09/942,757</b> | Filed<br><b>08/30/2001</b> | For <b>Customized Tours Using Handheld Devices</b> |  | Art Unit<br><b>2155</b> | Examiner<br><b>Bruckart, Benjamin R</b> |
| Application Number<br><b>09/942,757</b>   | Filed<br><b>08/30/2001</b>              |   |  |   |                            |  |  |                         |   |
| For <b>Customized Tours Using Handheld Devices</b>  |   |   |  |   |                            |  |  |                         |   |
| Art Unit<br><b>2155</b>   | Examiner<br><b>Bruckart, Benjamin R</b> |   |  |   |                            |  |  |                         |   |
| <p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p>  |   |   |  |   |                            |  |  |                         |   |
| <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))</p>  |   | <p><b>\$500.00</b></p>  |  |   |                            |  |  |                         |   |
| <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$</u> _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>09-0447</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> |   |   |  |   |                            |  |  |                         |   |
| <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p>  |   |   |  |   |                            |  |  |                         |   |
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| <p><b>May 12, 2006</b></p> <small>Date</small>  |   |   |  |   |                            |  |  |                         |   |
| <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.<br/>Submit multiple forms if more than one signature is required, see below.</p>  |   |   |  |   |                            |  |  |                         |   |
| <p><input checked="" type="checkbox"/> *Total of <u>2</u> forms are submitted.</p>  |   |   |  |   |                            |  |  |                         |   |

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